

**DEPARTMENT OF STATE REVENUE**

**LETTER OF FINDINGS NUMBER: 01-0218P  
Individual Income Tax  
For the Calendar Year 2000**

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**ISSUE(S)**

**I. Tax Administration – Penalty**

**Authority:** IC 6-8.1-10-2.1(d); IC 6-8.10-5; 45 IAC 15-11-2

Taxpayer protests the penalty assessed.

**STATEMENT OF FACTS**

Taxpayer was assessed a penalty for failure to remit tax timely. In a letter postmarked on August 3, 2001, taxpayer requested a penalty waiver because the payroll department did not deduct the correct amount and he could not afford to pay at the time the tax was due.

**I. Tax Administration – Penalty**

**DISCUSSION**

Taxpayer requests the penalty be abated because he cannot afford to pay tax at the time the demand notice was issued on July 30, 2001.

The issue is the late payment of income tax. Taxpayer's tax return indicates that \$ 2,882 in tax was due with a credit of \$1,523. The resulting balance of \$1,359 in tax was not remitted with the return. The Department issued its billing for the tax, penalty, and interest on July 30, 2001.

Taxpayer has not shown reasonable cause to allow a penalty waiver.

**FINDING**

Taxpayer's protest is denied.